Enforcement Notice – No. 2
Material Change of Use

Important - This communication affects your property

Town and Country Planning Act 1990 (as amended by the Planning and Compensation Act 1991)

Enforcement notice

Issued by: Taunton Deane Borough Council

1. **This is a formal notice** which is issued by the Council because it appears to them that there has been a breach of planning control, under section 171A(1)(a) of the above Act, at the land described below. They consider that it is expedient to issue this notice, having regard to the provisions of the development plan and to other material planning considerations.

2. **The land affected**

The land to the north and east of Chestnut Farm, Helland, North Curry shown edged red on the attached plan.

3. **The breach of planning control alleged**

Without planning permission, the change of use of the land affected from agricultural use to become part of the domestic curtilage of the converted barn immediately to the north-west of Chestnut Farm, Helland, North Curry.

4. **Reasons for issuing this notice**

It appears to the Council that the above breach of planning control has occurred within the last ten years.

In the opinion of the Local Planning Authority, the extended curtilage is excessive and, together with the boundary fencing, results in a detrimental change to the character of this rural area and the surrounding North Curry Ridge Landscape Character Area contrary to Taunton Deane Local Plan Policy EN12.

The Council does not consider that planning permission should be given because planning conditions could not overcome these problems.

5. **What you are required to do**

(i) Stop using the land to the north and east of Chestnut Farm, Helland, North Curry as part of the domestic curtilage of the converted barn.

Time for compliance: 6 weeks after this notice takes effect.

(ii) Remove from the land the unauthorised boundary fencing from its current position delineating the extended curtilage and return the land shown edged in red on the plan to agricultural use

Time for compliance: 6 weeks after this notice takes effect.

6. **When this notice takes effect**

This notice takes effect on 9 August 2007 unless an appeal is made against it beforehand.

Dated: 5 July 2007

Signed: 

On behalf of: Taunton Deane Borough Council

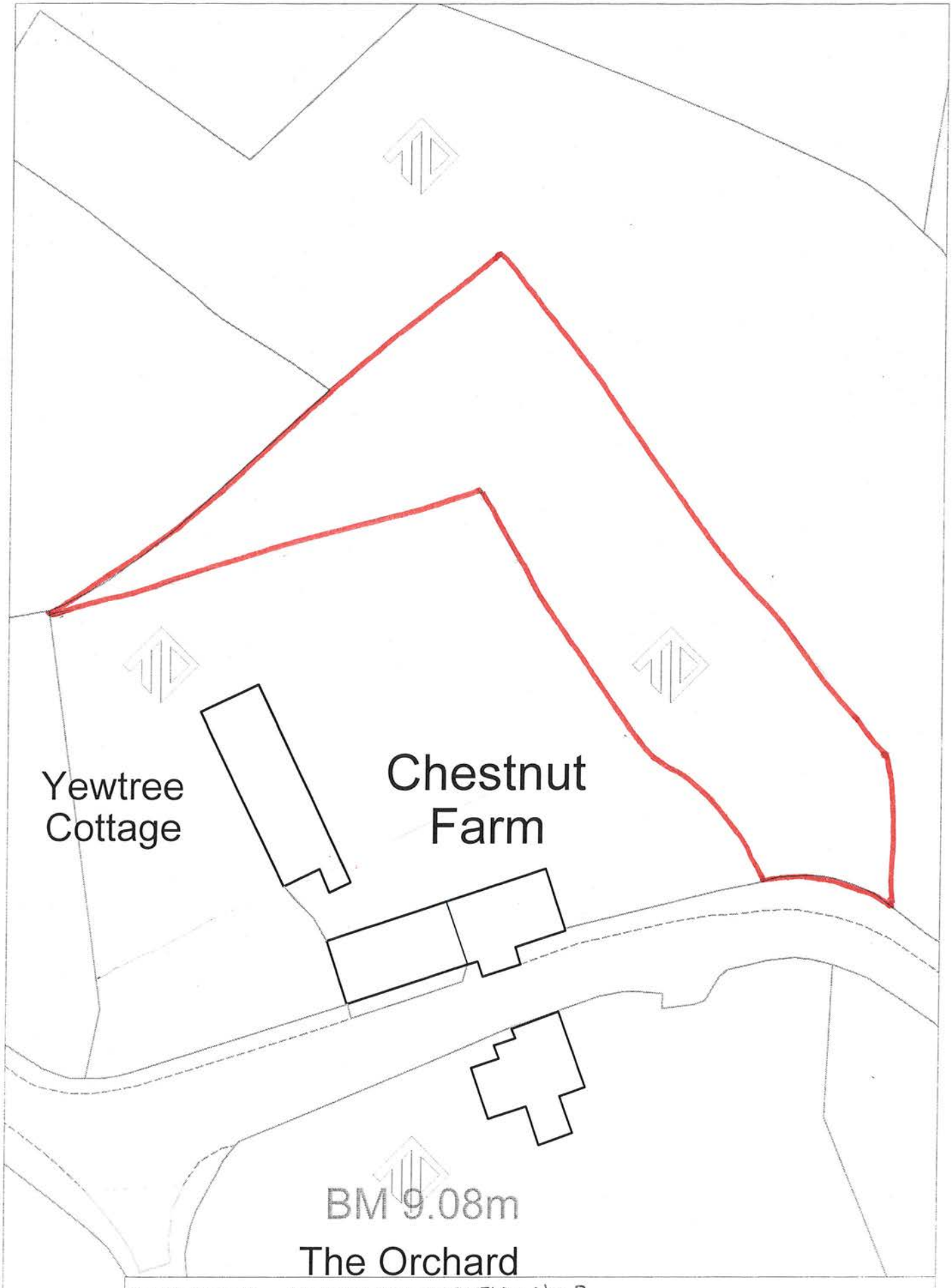
The Deane House,
Belvedere Road,
TAUNTON

Your right of appeal

You can appeal against this notice, but any appeal must be received, or posted in time to be received, by The Planning Inspectorate before 9 August 2007. The enclosed booklet "Making your enforcement appeal" sets out your rights. Read it carefully. You may use the enclosed appeal forms. One is for you to send to The Planning Inspectorate if you decide to appeal. The other should be sent to the Chief Executive at Taunton Deane Borough Council. You should also send The Planning Inspectorate the spare copy of this enforcement notice which is enclosed.

What happens if you do not appeal

If you do not appeal against this enforcement notice, it will take effect on 9 August 2007 and you must then ensure that the required steps for complying with it for which you may be held responsible, are taken within the period[s] specified in the notice. Failure to comply with an enforcement notice which has taken effect can result in prosecution and/or remedial action by the Council.



CHESTNUT FARM - ENFORCEMENT NOTICE No. 2.

Date: 23/05/2007 Scale 1: 500

Reproduced from the Ordnance Survey mapping with the permission of the Controller of HMSO. (c) Crown Copyright.
Unauthorised reproduction infringes crown copyright and may lead to prosecution or civil proceedings.
Taunton Deane Borough Council